

Appl. No. : **10/631,921**
Filed : **July 31, 2003**

REMARKS

In the Office Action mailed March 3, 2004, the Examiner rejected Claims 1-25 as being unpatentable over the Okumura reference (U.S. 4,935,380) in view of the admitted prior art and the Yoo reference (U.S. 5,605,854). By this paper, the Applicant has amended Claims 1 and 20 and therefore requests reconsideration of the above-captioned application in light of the amendments and remarks contained herein.

As an initial matter, the Applicant would like to thank the Examiner of extending the courtesy of an interview to the Applicant's representative Michael H. Trenholm on April 1, 2004. During the interview, a proposed claim amendment to Claim 1 was discussed in light of the Okumura reference. As indicated during the interview, Okumura does not discuss the concept of transforming the refractory metal in the exposed portion of the source layer into a low resistant contact that is positioned between the refractory metal and the source layer such that electrical contact between the refractory metal and at least one conductive level occurs through the source level. In particular, Okumura teaches away from electrical contact occurring through the source level in the manner claimed as in Figure 7E and at Column 8, Lines 5-8, an oxide in the Okumura reference is formed from and on the corresponding source layer which therefore teaches away from providing electrical contact through the source layer.

The Applicant notes that neither the admitted prior art nor the Yoo reference teach this particular concept and thus the Applicant believes that Claim 1 as currently amended is allowable over the art of record. Moreover, similar limitations have now been added to Claim 20 and the Applicant therefore believes that Claim 20 is also allowable for similar reasons as given above.

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SUMMARY

Based upon the foregoing reasons, the Applicant believes that Claims 1 and 20 are now allowable over the art of record and further submits that the remaining claims define additional patentable subject matter and are also allowable due to their respective dependencies on Claims 1 and 20. The Applicant therefore believes that the above-captioned application is now in a condition for allowance and requests the prompt allowance of the same. Should there be any impediment to the prompt allowance of the application that could be resolved by telephone conference, the Examiner is respectfully requested to give the undersigned a call at the number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: 8/3/04

Respectfully submitted,

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